IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGMENT NO.193 of 2006

IN

SUMMARY SUIT NO.725 of 2006

Sudershan Kedarnath Sethi & Ors. ....Plaintiffs

V/s.

Narendra L. Chawla ...Defendant

Shri.N.R. Patel for the plaintiffs.
Miss.Swati Sawant i/b V.S. Singh for defendant.

CORAM : D.K. DESHMUKH, J.
DATED : 29/08/2006

P.C.:-

By consent of parties, the summons for judgment is disposed of in the following terms:-

1. The defendant shall deposit an amount of Rs.96,000/-(Rupees Ninety Six Thousand only) within a period of twelve weeks from today with due notice to the plaintiffs.

2. In case the amount is so deposited, the summons for judgment shall stand disposed of and leave to defend shall stand granted to the defendant. In that event, written statement to be filed within a period of six weeks from the date of deposit.

3. In case the amount is so deposited, the Prothonotary and Senior Master of this Court shall permit the plaintiffs to withdraw the amount on furnishing bank guarantee to the satisfaction of the Prothonotary and Senior Master of this Court and on giving an undertaking therein to redeposit the amount if so directed by this Court on such terms and conditions as may be directed by this Court, with further undertaking that in the event the amount is required to be re-deposited, the rate of interest shall not be less than 12% per annum.

4. In case the amount is not withdrawn within a period of six weeks from the date of deposit, the amount shall be invested in fixed deposit in a nationalised bank during the pendency of the Suit.

5. In case the amount is not deposited, the summons for judgment shall stand granted and the Suit shall stand decreed in terms of prayer clause of the suit. In that event refund of court fees as per rules.

(D.K. DESHMUKH, J.)